

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

JUAN CERVANTES-GONZALES,
Petitioner,
v.
S. FRAUENHEIM,
Respondent.

Case No. 16-cv-2878-NJV (PR)


ORDER OF TRANSFER

This is a petition for writ of habeas corpus filed pro se by a state prisoner. Petitioner challenges a conviction obtained in the Kings County Superior Court. Kings County is in the venue of the United States District Court for the Eastern District of California. Petitioner is also incarcerated in the Eastern District of California.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); this district is neither. Because petitions challenging a conviction are preferably heard in the district of conviction, Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968), and petitioner was convicted and is confined in the Eastern District, this case is **TRANSFERRED** to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b).

IT IS SO ORDERED.

Dated: July 12, 2016


NANDOR J. VADAS
United States Magistrate Judge